

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

(1) Ramon Sanchez Jr.  
A202 085 960 YOB: 1989

(2) United States  
Gilberto Flores-Perez  
A206 190 391 YOB: 1979

Principal

United States District Court  
Southern District of Texas  
FILED

Case Number:

M-15-1045 -M

## CRIMINAL COMPLAINT

JUN 27 2015

(Name and Address of Defendant)

## Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 25, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Santo Guadalupe Perez-De Alvarado, a citizen of El Salvador, and Luciana Garcia-Lopez, a citizen of Guatemala, along with ten (10) other undocumented aliens for a for a total of twelve (12), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near San Manuel, Texas,

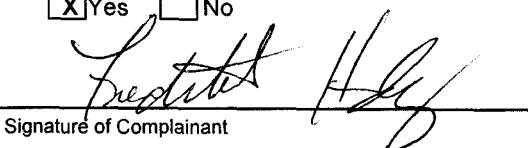
in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On June 25, 2015, at approximately 10:00 pm, Agent M. Klauenberg was observing traffic at a crossover on U.S Highway 281 near San Manuel, Texas. At the time, he had his high beams and take down lights directed across Highway 281. He observed a black Chevrolet Tahoe pass his location that appeared to him to be riding low. As he put his vehicle in gear to check out the Tahoe, a white pickup passed him before he was able to take off. The vehicles appeared to agent Klauenberg to be travelling closely together, as a scout vehicle and load vehicle often do. Additionally, as the pickup passed Agent Klauenberg, the driver of the white pickup was sitting in a very rigid posture, a possible indication of nervousness.

Continued on the attached sheet and made a part of this complaint

Yes  No

Signature of Complainant



Frediberto Hernandez Senior Patrol Agent  
Printed Name of Complainant

Sworn to before me and subscribed in my presence,  
June 27, 2015

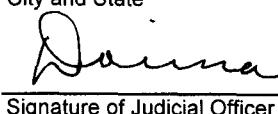
Date

at

McAllen, Texas

City and State

Dorina Ramos U. S. Magistrate Judge  
Name and Title of Judicial Officer



Signature of Judicial Officer

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS

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**CONTINUATION:**

Agent Klauenberg pulled out to inspect the pickup further and noticed the driver was unable to keep the vehicle from swaying side to side. He repeatedly crossed the lines marking his lane on both sides. Bumps on the road were also causing difficulty for the driver, as every time he hit one, the vehicle bounced for several seconds afterward. Excessive bouncing is often a sign of an excessively heavy load, worn suspension, or both.

Agent Klauenberg travelled in the left lane of Highway 281 next to the white pickup which was in the right lane. Due to traffic coming up behind Agent Klauenberg, he slowed down and pulled in behind the pickup to allow the traffic in the left lane pass. After the traffic past, the driver of the white pickup moved to the right lane for no apparent reason, as there was no traffic in front of him.

Agent Klauenberg again pulled alongside the pickup, and with the help of the alley light on his light bar, saw a piece of plywood seemingly floating above the bed of the truck. Plywood is commonly used to conceal people and contraband in the bed of pickup trucks.

Agent Klauenberg again slowed down and pulled in behind the pickup to conduct a traffic stop in order to perform an immigration inspection.

After the agent turned on his lights, the driver of the pickup truck failed to yield, and continued north for approximately 3 miles. He then turned around and started travelling south on Highway 281. As the pickup truck was travelling south at approximately 40 mph, the driver later identified as Gilberto FLORES-Perez, opened the door in an attempt to bail out of the vehicle.

FLORES allowed the vehicle to exit the highway onto the grass, and while the vehicle was still in motion, jumped out and tried to run east across the highway. He was immediately apprehended before he had the chance to make it across the southbound lanes. The truck continued in gear until it rammed a fence alongside Highway 281.

Most of the truck's occupants ran to the west of the highway and into the brush. Two people were apprehended in the bed of the truck. With the help of air assets, agents apprehended 11 additional people in the brush near where the bailout took place.

FLORES, the driver of the truck, admitted to being illegally in the United States. Of the 11 others apprehended in and around the truck, 10 also admitted to being illegally in the United States. One of the subjects apprehended in the brush, identified as Ramon SANCHEZ Jr. claimed to be a United States citizen.

Through interviews of everyone in the group, agents were able to ascertain that at some point during the trip north, SANCHEZ was also driving the vehicle.

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**PRINCIPAL'S STATEMENTS:**

Both principals were read their rights. Both SANCHEZ and FLORES agreed to provide statements without the presence of an attorney.

**1-** Ramon SANCHEZ Jr. acknowledged to agents he was inside the white pickup that was transporting illegal aliens. He told agents that he became involved in alien smuggling when he was residing in Houston. He did not have work or money, when a friend of his introduced him to a smuggler in Houston. That smuggler offered him \$1,000 (USD) to assist a load of illegal aliens north. Because he is a United States citizen, SANCHEZ was supposed to travel in the truck and drive the truck back south after dropping off the illegal aliens on the side of the road, south of the checkpoint.

SANCHEZ travelled to McAllen from Houston for the sole purpose of carrying out these smuggling activities. After arriving at the bus station, an associate of the smuggler in Houston arrived and picked him up. They travelled together and SANCHEZ picked up the load vehicle at a trailer. He then spent the night in a hotel, and was called to go pick up the brush guide at a Dollar General. SANCHEZ identified FLORES in a photo lineup as the foot guide he picked up. SANCHEZ and FLOERS then followed the associate to the stash house to prepare for the trip north.

According to SANCHEZ, he placed 2-3 gallons of water and some back packs filled with canned food inside the truck. When the sun set, SANCHEZ, FLORES, and the illegal aliens drove off with SANCHEZ driving the truck.

At some point, SANCHEZ became overly nervous driving the truck, and FLORES was instructed telephonically by other smugglers to change places with him. They did as they were told, and continued north with FLORES driving. SANCHEZ told agents that at the time of the stop, FLORES was driving. According to SANCHEZ, prior to the trip taking place, FLORES told everyone in the group that if something went wrong they needed to run and avoid being arrested.

**2-** Gilberto Flores-Perez told agents he was a smuggled alien. According to FLORES, the only reason he was seen exiting the driver's side door, was because the driver, who he could not identify, lost control, and FLORES took over so nobody would die. FLORES also told agents the reason he could not identify the driver or the passenger next to him is because he was face down, but gave no explanation as to how he knew the driver had lost control of the vehicle if he was face down.

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**CONTINUATION:**

**MATERIAL WITNESSES' STATEMENTS:**

Both material witnesses were read their rights. Both stated they were willing to provide a statement without the presence of an attorney.

1- Santo Guadalupe Perez-De Alvarado, a citizen of El Salvador, stated she was charged \$6,000 (USD) to be smuggled into the United States. After illegally crossing the Rio Grande River, she was taken to a stash house. At the stash house, she was told to board the truck she was arrested in. According to Perez, there were two drivers, because the original driver became nervous and switched places with the second. Additionally, Perez stated the drivers were receiving instruction by someone on a cell phone. Perez was sitting in the front seat and identified Ramon Sanchez Jr. as one of the two drivers of the truck.

2- Luciana Garcia-Lopez, a citizen of Guatemala, claimed to have been charged \$7,000 (USD) to be smuggled into the United States. After illegally crossing the Rio Grande River, she was taken to two different stash houses. At the second house, she and eleven others were told to board a white pickup. She was told to enter the cab and several others were instructed to board the bed of the truck. She overheard the two drivers state the trip would take approximately 50 minutes. Garcia told agent there were two drivers because one of them, who she identified as Ramon SANCHEZ Jr., stopped and allowed the other driver to change places and drive. She suspected that SANCHEZ may not have known the correct route of travel. Garcia stated both men were talking on the cell phone with someone, but was unable to hear what they were talking about. Luciana Garcia-Lopez positively identified Ramon Sanchez Jr. as one of the two drivers of the truck.